UNITED NATIONS **S**

Security Council

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S/1998/936
9 October 1998

ORIGINAL: ENGLISH

LETTER DATED 9 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF QATAR TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that the annual coordination meeting of the Ministers for Foreign Affairs of the Member States of the Organization of the Islamic Conference, held at United Nations Headquarters, on 1 October 1998, took note of the letter by Judge Gabrielle Kirk McDonald, President of the International Tribunal for the former Yugoslavia, dated 9 September 1998 (S/1998/839), and the letter by the Permanent Representative of Bosnia and Herzegovina to the United Nations, dated 17 September 1998 (S/1998/867), reminding the Security Council of the continuing failure of the Federal Republic of Yugoslavia (Serbia and Montenegro) to cooperate in full with the International Tribunal, in violation of the Dayton/Paris Peace Agreement and the relevant Security Council resolutions.

The meeting endorsed the request, contained in the above-mentioned letters, respectively, that the Security Council consider such non-compliance and take the necessary action in order to ensure compliance by the Federal Republic of Yugoslavia (Serbia and Montenegro). In this context, the meeting reiterated its position that the full cooperation of all parties with the International Tribunal is a key element in the peace process. The failure to hand over all indicted war criminals remains a major obstacle to the consistent and full implementation of the Peace Agreement, for the process of reconciliation and, ultimately, for creating a stable, irreversible, peace in Bosnia and Herzegovina, and the region as a whole. The meeting called upon the Council, as a creator of the International Tribunal and endorser of the Dayton/Paris Peace Agreement, to take urgent and decisive action in order to compel compliance by all the parties without further delay.

I would be grateful for your assistance in having this letter circulated as a document of the Security Council.

(Signed) Nassir Abdelaziz AL-NASSER
Ambassador
Permanent Representative of the State of Qatar to the United Nations
Chairman, Group of the Islamic States

98-30104 (E) 091098

UNITED NATIONS **S**

Security Council

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GENERAL

S/1998/937
12 October 1998

ORIGINAL: ENGLISH

LETTER DATED 9 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith the editorial issued by the Chicago Tribune on 8 October 1998 on the American aggression against the Al-shifa pharmaceutical factory on 20 August 1998 (see annex).

The paper stated that America's moral authority has been tarnished by the Sudan attack. Now, more serious questions arise about the President's behaviour, which Clinton needs to answer fully, publicly and without delay.

I should be grateful if you would distribute the text of the present letter and its annex as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

98-30234 (E) 121098

Annex

TOP BRASS LEFT OUT OF THE LOOP? - Editorial

[Latest News From Sudan At Sudan.Net]

News Article by Chicago Tribune on October 08, 1998 at 11:18:01:

TOP BRASS LEFT OUT OF THE LOOP?

Chicago Tribune
October 8, 1998 Editorial

The dust has settled from the American missile attack on the Al Shifa pharmaceutical plant in Sudan six weeks ago, but the dreadful doubts about the merits of the attack just seem to keep growing. Now troubling new revelations suggest that the decision-making process itself was deeply flawed.

President Clinton insists the Sudanese plant helped make a precursor for VX nerve agent arms. But many Americans, and much of the world, question why he has failed to produce more clear and convincing evidence that it was a legitimate target for reprisal after the terrorist bombings of U.S. embassies in Kenya and Tanzania.

This week it was revealed that the administration kept the decision to launch cruise missiles against targets in Sudan and Afghanistan secret from most of the Joint Chiefs of Staff, the nation's top military commanders, until the final hours.

A shocking report in the Oct. 12 issue of The New Yorker magazine reported that the chiefs of the Army, Navy, Air Force and Marines apparently were not consulted until the last day before Clinton's decision to launch the Tomahawk missiles. While not directly in the chain of command, their advice is traditionally considered vital when operational activities unfold.

The report also suggests Atty. Gen. Janet Reno was overruled when she questioned whether there was enough evidence to link the Sudan facility and the Afghanistan targets--or even the embassy bombings themselves--to Saudi terrorist Osama Bin Laden, whom Clinton has blamed. It said FBI Director Louis Freeh, who went to Africa with hundreds of his agents to investigate the Aug. 7 bombings, was kept out of the planning for the missile strikes.

The reports undoubtedly will rekindle speculation that Clinton was looking to divert attention from his domestic troubles. His national security team did consult with the CIA, the State Department and the chairman of the Joint Chiefs, Gen. Henry Shelton. But might the White House have deliberately avoided consulting with all the Joint Chiefs because it knew they might oppose elements of the attack?

Americans have a right to demand that their government retaliate in response to terrorist attacks, but the government must be sure of the facts and the targets before doing so. Sadly, America's moral authority has been tarnished by the Sudan attack. Now, more serious questions arise about the President's behavior that Clinton needs to answer fully, publicly and without delay.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/938
22 October 1998

ORIGINAL: ENGLISH

LETTER DATED 22 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a report issued by the New Yorker magazine on 12 October 1998. The magazine gave full details of the shaky decision-making process involving the attack on the Al-Shifa pharmaceutical plant. The uncertainty and lack of assurance of the attack decision-takers went too far to the extent that the American administration kept the matter secret from the most senior Chiefs of Staff.

The magazine reported that the White House claimed it had convincing evidence to support the strike, but the experts are not convinced.

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

98-32141 (E) 261098

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Annex

ANNALS OF NATIONAL SECURITY

THE MISSILES OF AUGUST

The White House claimed it had "convincing evidence" to support the strikes against Osama bin Laden. But the experts aren't convinced.

BY SEYMOUR M. HERSH

BOBBY MAY, of Marianna, Arkansas, is a quintessential good old boy who served eighteen years as sheriff of Lee County, in the eastern corner of the state, and began a friendship with Bill Clinton twenty-five years ago, when Clinton ran an unsuccessful campaign for Congress. The friendship remained constant even in the worst of times; May attended a fund-raiser with the President in Little Rock in late July, at the height of the Monica Lewinsky scandal, and contributed ten thousand dollars to help Democratic Party candidates in Arkansas.

Now, as a businessman seeking oil and natural-gas investments in Africa, May happened to be in Khartoum the week that American Tomahawk cruise missiles destroyed the Al Shifa pharmaceutical plant, on August 20th. He was travelling with another Clinton acquaintance, H. H. Brookins, a bishop of the African Methodist Episcopal Church, in Nashville, who had become interested in the question of religious freedom in Sudan.

The Sudanese plant, depicted by the President in a televised statement as a chemical-warfare facility, was one of two targets. Tomahawks were also fired at sites in Afghanistan suspected to be terrorist training camps under the control of Osama bin Laden, a Saudi extremist who had earlier issued a fatwa calling for attacks on American military and civilian targets. Bin Laden had summoned his associates to a meeting at the camps.

The Clinton Administration justified the missile attacks as retaliation for truck bombings thirteen days earlier that had destroyed the American Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, killing twelve Americans and more than two hundred and fifty Africans. There was "convincing evidence," Clinton said, that bin Laden and his Islamic-fundamentalist associates had been involved in the embassy bombings and had plans to strike other American targets. The camps in Afghanistan and the plant in Sudan, which was associated with the bin Laden network, had to be destroyed, the President told the nation, because of the "threat they presented to our national security."

The announcement was all the more startling because, just three days earlier, Clinton had completed his grand-jury appearance in the Lewinsky matter. The missile raids reminded Americans of the power and importance of the American Presidency. Clinton concluded his televised announcement, delivered from Martha's Vineyard, where he was vacationing, by telling the nation that he was returning to Washington "to be briefed by my national-security team on the latest information." He spoke again that evening from the Oval Office, adding little new information, and once again depicting the training camps in Afghanistan and the Sudanese plant as an "imminent threat . . . to our national security." Sometime that afternoon, Samuel R. (Sandy) Berger, the President's national-security adviser, assured the White House press corps that the Administration had impeccable intelligence "with respect to the so-called pharmaceutical factory in Khartoum, which we know with great certainty produces essentially the penultimate chemical to manufacture VX nerve gas."

In those first hours after Clinton's announcement, Berger and other senior national-security officials who were involved in the decision to bomb—Secretary of State Madeleine K. Albright, Secretary of Defense William S. Cohen, and General Henry Hugh Shelton, the chairman of the Joint Chiefs of Staff—were obviously aware that the President's personal problems would raise questions about his motives for the Tomahawk strikes. During televised press briefings, all four officials emphasized the imminent danger of more terrorist attacks and the need for America to show resolve—arguments that decided the issue for most Americans, and most members of Congress.

Nevertheless, some reporters questioned whether the President had used military force to distract the nation's attention from the Lewinsky scandal. But Clinton's top advisers insisted that personal politics had nothing to do with the Tomahawk attacks. "The only motivation driving this action today was our absolute obligation to protect the American people from terrorist activities," Secretary Cohen declared at a Pentagon briefing. "That is the sole motivation. No other consideration has been involved."

"This is, unfortunately, the war of the future," Albright said. When Berger was asked about the nature of the chemical plant in Sudan, he responded with assurance, "Let me be very clear about this. . . . This was a plant that was producing chemical-warfare-related weapons, and we have physical evidence of that fact." The press was later told that a C.I.A. operative had obtained a soil sample outside the Al Shifa plant which con-

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tained Empta, a key ingredient in the production of the nerve gas.

Bobby May, watching much of this on CNN from his room in the Khartoum Hilton, felt sure that the President and his national-security adviser had somehow got it terribly wrong. He and Brookins had toured the Al Shifa plant a few days before it was bombed, and walked around, with no evident restrictions on their movement, as the plant's employees packaged and bottled medicines. May, of course, was no expert on chemical weapons, and he certainly could not prove a negative—that the facility had not produced them. Nevertheless, he was astonished as he watched the coverage of the national-security adviser's press conference. "I'm lying in bed and watching the White House talking about this place being a heavily guarded chemical factory," May told me recently. "I couldn't believe my ears. Until then, I had a lot of faith in our intelligence services. I couldn't figure it out.

"I spent a total of two months in Khartoum," on different trips, May went on. "One of the places where the Sudanese like to take you is the pharmaceutical plant. It was a showplace for them." Schoolchildren routinely toured the facility, he added.

Bishop Brookins, who has been the spiritual leader of the A.M.E. Church since the mid-seventies, had returned to Nashville the day before the bombing. Although Brookins, like May, had no technical expertise in chemical-warfare manufacturing processes, he felt that he had seen enough to be convinced, after learning of the bombing, that "somebody had made a mistake." Several weeks later, he and May separately got in touch with the White House in an effort to tell the President of their concerns about the bombing. May even brought it up with a Clinton official while attending a fund-raiser at the White House. No one in the Administration seemed to care.

ALMOST every aspect of the Administration's planning for the Tomahawk raids has been challenged, in more than a hundred interviews conducted over the past six weeks with past and present officials in the Defense Department, the Justice Department, the State Department, and the C.I.A. The men and women who make American foreign policy believe Osama bin Laden to be an extreme threat to American well-being. No one disputes that Sudan has systematically violated human rights, and permitted bin Laden and other terrorists to operate with impunity inside its borders, at least until 1996, when he and some hundred of his followers were expelled at the request of the United States and Saudi Arabia. Many certainly would have applauded his death if he had been slain, as was hoped. Nevertheless, there is a great degree of disquiet and dissatisfaction over the raids—and widespread concern over the President's possible motives for ordering them. There is also widespread belief that senior officials of the White House misrepresented and overdramatized evidence suggesting that the Tomahawk raids had prevented further terrorist attacks.

No American official would be quoted by name about the extent of disarray inside the government. But the lack of trust shown toward the Clinton White House by the military and intelligence communities goes well beyond the usual bureaucratic backbiting over a failed military action, and is far more corrosive. The Tomahawk missions are seen as very expensive failures: the nearly eighty missiles deployed, which cost roughly seven hundred and fifty thousand dollars apiece, did not kill bin Laden and his associates in Afghanistan, and the target in Sudan may not have been what the C.I.A. said it was. Those failures were a by-product of the secrecy that marked all of the White House's planning for the Tomahawk raids—a secrecy that prevented decision-makers from knowing everything they needed to know.

Most significantly, the four men who know more about the use of force than anyone in the White House—the three generals and one admiral on the Joint Chiefs of Staff, who run the nation's armed forces—were not briefed about the use of Tomahawk missiles until the day before the raids. The only member of the Joint Chiefs to participate fully in the planning was the chairman, General Shelton, who was instructed not to brief the other chiefs or to involve senior officers of the Defense Intelligence Agency.

Another official kept out of the planning was Louis J. Freeh, the F.B.I. director, although his agency had played an active role in investigating the bombings in Kenya and Tanzania. No office inside the F.B.I. was asked to review the intelligence, assembled primarily by the C.I.A., which concluded that the Al Shifa plant was involved in the manu-

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facture of chemical-warfare materials.

The White House was urged by Janet Reno, the Attorney General, to delay the raids, in order to give the F.B.I. time to assemble more evidence linking bin Laden to the embassy bombings. Justice Department officials say they understood that Reno warned the White House that it was not clear, based on the information then available, that the United States had enough evidence against bin Laden to meet the standards of international law. The Attorney General is said to have had a second reservation: the Administration had not accumulated clear evidence of a link between bin Laden and the targets to be attacked.

Finally, there is known to be dismay within the Directorate of Intelligence and the Directorate of Science and Technology of the C.I.A. over what is seen as an unseemly rush to judgment on the involvement of the Al Shifa plant in chemical warfare—and the refusal of the agency publicly to acknowledge serious omissions in its analysis. Many C.I.A. analysts believe that there is evidence tying Al Shifa to chemical weapons at some point in the past—but not the evidence that was cited by the Administration. Some agency officials conveyed their discontent to George Tenet, the C.I.A. director, and his senior deputies.

UNDER current law, the President is not obligated to include the military-service chiefs in his decision-making—they are not officially in the chain of command. But their exclusion last August enraged many senior officers, because, as one former member of the Joint Chiefs told me, the military leadership was generally called upon to review plans and comment. "The President and his men never talked to the pros," another senior general, with firsthand information, told me. "If you have a selection process and your best and brightest get on top, use them." This general, who has run one of America's intelligence services, described Shelton as being "not happy" with the order not to discuss the Tomahawk raids with his fellow-members of the Joint Chiefs. "He was presented with a fait accompli," the general told me, and "obeyed his orders. And now he's catching it from both sides." The strictures on Shelton were so tight that he was unable to consult with terrorism experts in the Defense Intelligence Agency. One insider said that Shelton apologized later to the agency's distraught director, Lieutenant General

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Patrick M. Hughes, assuring him that he would "never let this happen again." (A spokesman for Shelton did not respond to a request for comment.) A four-star general depicted Shelton, a special-forces expert who was confirmed as chairman of the Joint Chiefs in September of 1997, as having far less influence on military issues with the President than his civilian advisers did.

One senior Pentagon officer told me that when the four service chiefs were finally "plugged into the operation," the day before the missile attacks, they managed to force one significant change: The initial target list, as presented to the President and Berger, called for Tomahawks to hit the Al Shifa plant and a storage facility, also in Khartoum, which the C.I.A. believed was linked to Osama bin Laden. At the storage facility, "unlike the pharmaceutical company," the Pentagon officer said, "there were no ground samples" pointing to the manufacture of chemical weapons. "We didn't know what the hell was in there. It could have been dangerous" for nearby residents—or, if the facility was full of nonmilitary materials, acutely embarrassing to the United States. "We told them, 'Take it off the list.'" The target was removed.

Ken Bacon, a spokesman for the Pentagon, did not dispute the assertion that none of the service chiefs had been involved in the initial planning for the retaliatory missile attack. Bacon instead provided the following statement: "The Chairman of the Joint Chiefs of Staff advises both the Secretary [of Defense] and the President. General Shelton played an active role throughout the planning and execution of this operation. As is appropriate for any sensitive military operation, planning was limited to those who needed to be involved."

Many men who served in the Pentagon believe that the service chiefs were excluded from the planning because the White House did not want to hear what they had to say. Since the early days of the Clinton Presidency, the White House and the Pentagon have disagreed on the use of expensive Tomahawks, which are capable of carrying nuclear warheads, to send a political message. The missiles appeal to civilian leaders because of their high accuracy and because no military troops are put at risk: the President can bomb a target with no fear that a shot-down American pilot will be put on public display in a foreign capital.

But there was more to the Pentagon's frustration than that. "The targeting data was weak," one intelligence adviser told me. "The coupling between the targets we were trying to hit and bin Laden's activities was very remote." Furthermore, said the adviser, who was informally briefed on the missions after they took place, Tomahawk missiles, which are armed with a small payload of high explosives, were unlikely to succeed in killing bin Laden and his cohorts in their well-fortified caves and bunkers in Afghanistan. "It's a schlock target," the adviser said.

The four-star general agreed, in a subsequent interview. "When you elect to use force in the Third World, you're judged not by a legal system but by a very sophisticated enemy that doesn't believe you anyway," the general said. "When the strong attack the weak, the weak win." He and his colleagues, the general added, would have argued against the use of Tomahawk missiles, because there's no evidence that such bombings have any significant impact on terrorists. "In today's world, we have very sophisticated adversaries, and to deal with them we have to understand their decision sequence. We have to understand how they make decisions, who influences them." International terrorists, the general told me, "are more sophisticated than our intelligence is capable of dealing with.

"If you do elect to attack them," the general added, it should be done, after careful analysis, at a point of leverage—"a collapse point. What means to an end do I use? Clearly, in some cases, something nonpublic and non-kinetic. Banking, for example. It's not something to do on a weekend in Martha's Vineyard."

In the aftermath of the truck bombings in Kenya and Tanzania, the general said, "and with a wounded President, there are large pressures on the system. So who's in the room? Clearly not the uniformed military." The general concluded, "This is classic Sandy Berger." The general's point was that he and other senior officers believe that Berger and Madeleine Albright are too quick to advocate force as a solution to diplomatic problems. "Madeleine is willing to fire a missile at anybody," the general added, with a laugh.

Some officials in the White House and the State Department, in conversations with me, dismissed the complaints as the usual griping of bureaucrats who were not included in the planning for the strikes. And one military officer who worked under Berger on the National Security Council defended him. "The demand for results in the Office of the Presidency are impossible," the officer said. "There is an expectation that the executive is on top of everything and has answers to all foreign-policy crises. There is no other accountable agency—certainly not Congress." The National Security Council must rely on "secrecy and dispatch," the officer said, to get things done.

"For the first time, the White House is treating terrorism as a national-security problem, and not as a law-enforcement problem," the officer added. "America has joined the battle. If there is group think" among the President's advisers, in terms of wanting the missile strike, "there also is group think on the opposition"—people in the Pentagon and State Department, who invariably find reasons to say no. "The answer is you have to trust our judgment," the officer said.

It is, however, precisely that issue—the White House's judgment—that has been so troublesome for the intelligence community and the armed forces.

One former top Pentagon official told me of a recent White House meeting with Berger and his aides to discuss a soon-to-be-released government report on a significant national-security issue. "All they wanted to know was how it was going to affect a [congressional] vote in three days," the former official said. "Nobody in that White House wants to hear bad news." The President, he added, doesn't have a national-security policy. "It's all ad hoc. All off the shelf. Decisions are random. Suddenly, this one time he has to move fast."

Many current and former officials noted that the President had refrained from a military response in 1996, when nineteen American airmen were slain in the bombing of the Khobar Towers barracks in Saudi Arabia. A review of the President's numerous public statements and speeches on terrorism and its implications reveals that Clinton has consistently stressed the need for improved law enforcement, urging in a radio address shortly after the Saudi bombing that more international effort be made to share information and prosecute suspected terrorists. One intelligence analyst told me, articulating a commonly held view, "Sometimes the hardest thing to say is that there's no way to respond which will not make things worse." But, the analyst added, "this President is in trouble with public opinion. He has to do something Presidential. To do nothing or to wait requires political strength—and a weakened President thinks he can't get away with it."

For this analyst and others, the bureaucratic anger focussed on Sandy Berger is misplaced. Berger is known throughout the government for his loyalty to the President and, until the Monica Lewinsky crisis erupted, in January, was widely expected to replace Erskine Bowles as White House chief of staff. If Berger was, as many in the government believe, rushing to judgment in order to hurl Tomahawk missiles, he was doing precisely what Bill Clinton wanted.

PRESIDENT CLINTON has had a troubled relationship with the F.B.I. and Louis Freeh, whom Clinton nominated as director in 1993. Relations between the White House and the bureau worsened over the summer, when a Republican senator made public sections of a letter from Freeh accusing Attorney General Reno of misreading the law by not seeking an independent counsel to investigate the Clinton reëlection campaign's fund-raising practices in 1996. Freeh and many of his top aides believe that the F.B.I. was excluded from White House deliberations on military retaliation because Clinton questions his political loyalty.

With the recent concern over terrorism, the F.B.I. has established new outposts and augmented old ones around the world. After the embassy bombings, Freeh flew to Africa to oversee the F.B.I.'s manhunt for the terrorists. By August 20th, more than four hundred F.B.I. agents were scattered throughout eastern Africa, beginning a process that would lead to several arrests. Senior F.B.I. officials have told me that Freeh and his top leadership were not consulted or given what they considered to be adequate advance notification of the missile attack, which could have brought reprisals—especially if bin Laden had been killed. One senior official also noted a suspicion, widely prevalent inside the bureau, that there was "no concern" in the White House for the director's personal

safety or that of his agents. Justified or not, and petty or not, such resentments have inflamed the working relation between the F.B.I. and the White House. To make matters worse, officials noted, in late September the President asked Congress to allocate only twenty-two million dollars to the F.B.I.—far less than the hundred and sixty-four million dollars that was sought—in emergency funding to help finance the embassy-bombings investigation. "Not very subtle," one F.B.I. official said, with a shrug.

A national-security official who was deeply involved in the White House planning for the missile attacks acknowledged that the exclusion of Freeh and his aides was no accident. "The F.B.I. has left a bad taste in other departments, because it leaks like a sieve," the official told me. If there are some senior F.B.I. officials who think the President and his deputies have turned against them because of perceived slights, the official added, so be it. "In a snake pit like Washington, even people in the F.B.I. can have paranoia," he said.

Nevertheless, barring the F.B.I. was counterproductive to President Clinton's oft-stated goal of stopping terrorism, for it added to the difficulties of the men in the field who were working—round the clock—to build a case against bin Laden. White House politics, if it was that, was interfering with a widely applauded national goal. "People here understand that there are decisions made above us," a senior F.B.I. official told me dryly. He also said that agent-to-agent coöperation in the field among the F.B.I., C.I.A., and military-intelligence services has never been better.

THE Administration's failure to give the F.B.I. enough time to protect its agents in the field contrasts sharply, some officials noted, with the White House decision before the bombing to evacuate diplomatic officers and their dependents serving at the American Embassy in Islamabad, Pakistan. The evacuation, which was protested by some American diplomats—the school year was just getting under way—was reported by several newspapers; and this publicity, national-security officials acknowledge, no doubt tipped off bin Laden to the coming attack. On Tuesday, August 18th, the *Times* reported that Thomas W. Simons, Jr., the American Ambassador to Pakistan, had been asked at a meeting with Americans about "rumors" that the United States was about to launch an attack on bin Laden. He refused to comment.

"When bin Laden saw that happening, he flew the coop," one senior military officer told me. Some sixty Tomahawk missiles were fired at suspected bin Laden camps inside Afghanistan; they either were poorly targeted or did not all go where they were aimed. An informed official, who has directed one of America's intelligence services, confirmed previously published reports that two training camps controlled by the Pakistani intelligence service were inadvertently destroyed, with loss of life. "If you're going to do anything in Afghanistan, don't do it against the camps that belong to the Paks," the official added. His point was that the government of Pakistan, which is constantly under pressure from fundamentalist groups, has been far more coöperative than is publicly known in our effort against terrorists.

The elimination of bin Laden and his top leadership would have been a dramatic victory for the Administration in its newly proactive war on terrorism, but Administration officials, speaking on background, insist that that was not the goal. "We, of course, knew about a meeting" involving bin Laden, one State Department official told me. "We thought it would be delightful if we could hit a meeting"—and eliminate him. "We lowballed that possibility," the official added. "Our objective was to break up some structures and set the guy back." Political assassination is barred by a 1976 Executive order.

Both Clinton and Berger, in their public statements on August 20th, repeatedly cited what they said was hard evidence that bin Laden had been planning further terrorist attacks against America. "We knew before our attack that these groups already had planned further actions against us and others," Clinton said in his televised speech that evening. Berger, in a press briefing that evening, went further, declaring that the American intelligence community had "very specific information about very specific threats with respect to very specific targets. You will note that over the past week we have closed certain embassies, we have drawn other embassies down." Later in the briefing, he added, "Most of the intelligence people I have talked to in the last week have indicated that they have never seen anything quite like this, in the sense of the amount of information that mutually corroborated itself and pointed in this direction."

In interviews for this account, some American intelligence operatives, who have spent much of their careers reading and evaluating intercepted telephone calls and other communications, were taken aback that Berger had been so categorical. The specific warnings of future terrorism, one experienced intelligence operative told me, "came from garbled intercepts and a series of walk-ins"—defectors—"that, while not without merit, are no different from any number of walk-ins that come in all the time."

The operative added, "There are a lot of very wild things that get said"—especially in the Middle East. "They talk all the time, and there's a willful impulse to take the most extreme interpretation." One Middle East exile, who for years has worked closely with the C.I.A. in attempts to overthrow Saddam Hussein, the Iraqi leader, told me that he and other opposition groups constantly practiced *Funkspiele* (German for "radio games") in their satellite-telephone conversations—a practice most assuredly carried out by bin Laden, who worked with the C.I.A. in the nineteen-eighties during the insurrection against the Soviet invasion of Afghanistan. "You confuse the other side by sending false signals," the dissident said.

One factor in the President's and Berger's statements may have been Janet Reno. The White House and the Justice Department refused to comment on Reno's legal advice, as presented to the President on the eve of the bombings, but a White House spokesman reiterated that the President had legal authority to act. However, one Justice Department official, who had access to intelligence data, said that the Attorney General was understood to believe that the evidence tying bin Laden to the embassy bombings in Kenya and Tanzania did not meet what is known in the intelligence community as the Tripoli standard. In 1986, American warplanes bombed

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Libya's capital at night, including the residence of Muammar Qaddafi, after the National Security Agency intercepted communications that connected Libya to an explosion killing American soldiers at a discothèque in West Berlin.

The Clinton Administration had no such clear-cut intelligence, according to one senior member of Congress who attended a highly classified briefing by George Tenet, the C.I.A. director. "What he does is give you an awful lot of detail, largely about intercepts," the congressman said of Tenet. "No charts, no slides. It's a technique that people in the intelligence community often use—they try to inundate you with detail. And they'll draw conclusions that all of this is compelling and conclusive. A lot of it is in code. These people have code words they could use. I'm not sure how compelling all this is, although there's a lot of it. They came up with a lot of suspicious activity, but nothing conclusive."

Many Middle East experts with government experience also acknowledged that reports of bin Laden's wealth—he is said to have inherited three hundred million dollars or more—may have been vastly overstated. "Bin Laden probably inherited between ten million and twenty-five million dollars, not three hundred million," said James E. Akins, a retired diplomat who served as Ambassador to Saudi Arabia in the nineteen-seventies. "Maybe he's the Warren Buffett of the Arab world, but there's no evidence of that. Maybe God is his investment counsellor, but there's no evidence of that. Maybe somebody else is involved, but they"—people in the Clinton Administration—"don't want to think of that."

In the days after the missile attacks, the Sudanese government made headlines by producing evidence that the Al Shifa plant was involved in the processing and marketing of antibiotics and other beneficial drugs. The Sudanese maintained the initiative by subsequently demanding an independent United Nations investigation of the plant and its surroundings. The proposal, opposed by the White House, is endorsed by many Third World nations, and even former President Jimmy Carter called for an investigation, in a statement released on September 17th, which said, "If the evidence shows the Sudanese are guilty, they should be condemned both for lying and for contributing to terrorist activities. Otherwise, we should admit our error

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and make amends to those who have suffered loss or injury."

Berger responded the next day by firmly endorsing the C.I.A.'s analysis. "I have no less certainty about this," he told a press briefing. "For us not to have struck that plant, I think, would have been irresponsible. In fact, I have even more certainty about this than I did at the time that we struck it, based upon subsequent information." Berger and his colleagues on the National Security Council, facing skepticism about the validity of American intelligence, continued to insist that their assessment of the Al Shifa facility as a chemical-warfare plant was superb. "So I'm sure," Berger added sarcastically, of the Sudanese regime, "that they're deeply concerned about the penicillin that they may have lost in this plant."

On September 21st, the *Times* reported, in a dispatch written by Tim Weiner and James Risen, that the C.I.A. had been forced in early 1996 to withdraw more than a hundred intelligence reports on Sudan after concluding that its source was a fabricator. The *Times* also revealed that a few Administration officials had conceded, in interviews, that they "had no evidence directly linking" bin Laden to the Al Shifa plant at the time of the missile strike. "Nor are they certain whether their soil sample proves that Empta, the suspected precursor chemical for VX, was made at [Al Shifa] or just stored or shipped through there."

The soil-sample evidence was made public only after questions had been raised about the attack. The Administration, having backed down on its other contentions—that the plant was heavily guarded, that it had no apparent commercial products, and that it was directly financed by bin Laden—placed its entire burden of proof on what it said were laboratory results that could be explained only by the presence of Empta at Al Shifa.

The C.I.A.'s case, however, was weaker than even press reports indicated. Before talking to officials in the intelligence community, I had a series of conversations with a senior inspector in the Organization for the Prohibition of Chemical Weapons (O.P.C.W.), the agency in The Hague that is responsible for monitoring international compliance with the chemical-weapons treaty. The United States is one of more than a hundred nations that have ratified the treaty, which calls for the destruction of existing chemical weapons and a ban on the stockpiling and production of such weapons and their transfer to other nations.

The inspector, who had done laboratory work with Empta years earlier, pointed out that the chemical was unlikely to have been found, unaltered, in the ground, as the C.I.A. has told journalists, for the simple reason that it is highly reactive and, once in the earth, would react with other chemicals and begin to break down. "Is it possible?" the expert asked rhetorically. "Yes. Is it likely? No.

"If I'm going to drop a bomb on somebody," he added, "I'd like to be a little surer than they were."

The inspector, who under O.P.C.W. rules could not be identified by name, said that the organization's procedures for working with suspected chemical-weapons materials required that samples of the suspect material be divided, under carefully controlled conditions, and sent for analysis to at least three different laboratories. The C.I.A. was fortunate, the inspector added, because there are two highly reliable government laboratories in the United States with extensive experience in examining possible chemical-warfare materials: the Army's Edgewood Arsenal, in Maryland, and the Lawrence Livermore National Laboratory, in California.

Given Empta's reactive nature, the inspector said, the possibility of isolating it from a sample taken from the soil outside Al Shifa didn't seem credible. "No way it came out of a smokestack or in the effluent," he said. "The only way this material could be in the ground is if somebody had emptied a flask . . . and then taken a sample. That's credible."

The most stringent requirement in the chemical-weapons treaty, the inspector added, deals with the chain of custody of a suspected chemical-weapon sample: "We have to go to extraordinary lengths to make sure that the samples taken from the field are the same ones that arrive in our laboratories."

The C.I.A.'s standards for its analysis of the soil sample found in Sudan, as described to me in a series of background interviews with two senior American intelligence officials, fall far short of the standards espoused by the O.P.C.W. Al Shifa, the officials told me, had been identified in early 1997 by C.I.A. operatives inside Sudan as a plant engaged "in suspicious activities."

The agency began watching, and accumulating evidence that suggested that the plant was involved in chemical warfare. The most definitive piece of evidence was a sample of Empta dug up during the summer by one of the C.I.A.'s assets in Sudan, most likely a member of one of the opposition parties. "This wasn't the only soil sample we took," one of the officials said. "We sampled other places in Sudan, but it was the only place we hit"—where they found evidence of a chemical-warfare agent. The American, in attempting to explain why more soil samples were not taken, depicted the process of soil retrieval as highly risky, and added, "We had to deploy a human asset clandestinely. He had to be trained how to do it." (In an earlier interview, a high C.I.A. officer told me, "This is not like going in your back yard and digging around.")

The intelligence official had no first-hand knowledge of the sample's chain of custody between Sudan and the United States but said he was satisfied that appropriate care had been taken. "It was not done sloppily," he added. The soil sample was divided into three parts, and each was tested in the same private laboratory, the official said. The laboratory "found what we considered to be Empta in the soil.

"We think we have a good case," the American told me. "It's puzzle-solving: ultimately building a chain of evidence with links of inference in between." The C.I.A.'s job, he added, "is to put what you have on the table, and then someone else makes the decision."

The American officials appeared to be unfazed by the C.I.A.'s failure to learn before the missile raid that Al Shifa was actively packaging pharmaceuticals when it was destroyed. "We hadn't done a lot of research into what they produced, because we suspected in advance that there would be a cover story," one said. "We looked at open source material on Al Shifa—nothing there. You don't find Al Shifa listed in Dun & Bradstreet. People here really don't care whether they were making VX and aspirin, or just VX." (Senior officials acknowledged to reporters after the raid that intelligence officers had searched the Internet and found no advertisements or promotional materials for medicine on Al Shifa's Web

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site, and thus concluded that the plant was not in the pharmaceutical business.)

In his separate conversation with me, the high C.I.A. officer acknowledged that there were legitimate reasons to debate the merits of the agency's technical findings about the significance of the dirt outside the Al Shifa plant. But, the official added, "there's no second-guessing among anyone who is knowledgeable. Reasonable people can agree and disagree, but I can say with conviction that our part of it was well done and professionally done. You know, there's no such thing as one-hundred-per-cent certainty. There's a lot of shades—it's not black and white. At the end of the day, we don't make the decision. We say, 'Here's what we know.' Someone else—not us—makes the decision. I hope we were right," the official added. "But who knows?"

SANDY BERGER refused my requests to interview him, but David Leavy, the spokesman for the National Security Council, insisted that the Administration "had evidence showing that the plant was associated with the Sudanese military-industrial corporation. It's really frustrating for all of us," Leavy told me, referring to the widespread skepticism about the C.I.A.'s intelligence, "because the Sudanese government are bad people."

The United States still maintains diplomatic relations with the government in Khartoum, although the Embassy was closed in February of 1996, and its key personnel shifted to neighboring Kenya, after the intelligence community received a series of death threats. "That turned out to be a lot of hooey," one fully informed diplomat told me. The diplomat, who is currently involved with policy in Africa, said, "You mention the Sudan in the Department of State and people get very emotional—faces get red, teeth clench. You run into a departure of rationality, where the personal likes and dislikes seem to make foreign policy. Most of the professionals" in the State Department and elsewhere in the government, the diplomat added, "are appalled by what they see."

Berger, in a press briefing on September 18th, three days before the President's annual speech to the opening assembly of the United Nations, appeared to put the entire onus for Sudan's endemic wars and chronic famine on the regime in Khartoum. "This is a government that is one of the principal state sponsors of terrorism in the world, number one," Berger said. "Number two, there are somewhere between one point five million people starving in southern and western Sudan and we have plenty of food to get to those people, but . . . we can't get that food to those people, because the government will not let us have access to those people."

Berger's view is considered simplistic, even by many officials inside the government, and by other observers who also view the Sudan government with disdain. In a 1998 report, Human Rights Watch, an internationally funded group that monitors arms transfers and human-rights abuses around the world, described both the government in Khartoum and its opposition in the south as systematic violators of individual rights. The rebel forces, which receive substantial support from the Clinton Administration, have "also committed gross abuses . . . including indiscriminate attacks on civilians" and "the forced recruitment of underage boys."

The President's decision to attack Khartoum also has found little favor among the Sudanese opposition groups. Francis M. Deng, a senior fellow at the Brookings Institution who once served as Sudan's foreign minister, has bitterly suggested that the bombing of the pharmaceutical plant could be "a blessing in disguise" for the Sudanese government. The attack "is likely to arouse nationalist sentiments and bolster a regime that desperately needs national legitimization," Deng wrote in an essay for the Los Angeles *Times*.

The furor inside the United States government over the Tomahawk attacks has obscured a far more important issue: what, ultimately, should be done about international terrorism.

"I don't know anybody who believes we are in a position to take effective action against the terrorist threat," a former high-level State Department official explained. "What would I do? The first thing is go to our principal allies around the world and say, 'This is a growing threat against all of us, and we must do something collective.' Then you've got to move the Israeli-Palestine negotiations along. Get the Israelis more flexible," and deny the terrorist world "a rallying point." Finally, the former official told me, "You must spend a lot more on counterterrorism—helping city governments with crisis response." The Federal Emergency Management Agency "has got to become a major organization." The State Department veteran said he is sympathetic to the problems confronting Sandy Berger and Madeleine Albright. "Their President is preoccupied, and they don't know if he'll back them in any initiatives if there's political heat," he said. "Survival is his most important issue. It's always on his mind. If Clinton was not in all this trouble, he wouldn't have done it"—authorized the Tomahawk raids. "He's too smart." ♦

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 5 of Security Council resolution 1183 (1998) of 15 July 1998, in which the Council requested me to report by 15 October 1998 on the situation in the Prevlaka peninsula, on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement which would peacefully resolve their differences on the disputed issue of Prevlaka, and on the possible adaptation of the United Nations Mission of Observers in Prevlaka (UNMOP).

2. UNMOP consists of 28 United Nations military observers (see annex) headed by a Chief Military Observer, Colonel Graeme Williams (New Zealand) (see S/1998/563 and S/1998/564). The current mandate of the Mission expires on 15 January 1999.

3. In accordance with its mandate, UNMOP continues to monitor the demilitarization of the Prevlaka peninsula and of the neighbouring areas in Croatia and the Federal Republic of Yugoslavia, by carrying out vehicle and foot patrols on both sides of the border, except when prevented from doing so by restrictions of movement imposed by one party or the other. The Mission holds regular meetings with local authorities in order to strengthen liaison, reduce tension, improve safety and security and promote confidence between the parties. During the reporting period, the Chief Military Observer also maintained contacts with the authorities in Zagreb and Belgrade in order to address issues arising from the implementation of resolution 1183 (1998). Cooperation between UNMOP and the multinational Stabilization Force is maintained through regular meetings.

II. SITUATION IN THE AREA OF RESPONSIBILITY OF THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

4. The area of responsibility of UNMOP consists of two United Nations-designated zones: a demilitarized zone (the so-called "Yellow Zone") and a United Nations-controlled zone (the so-called "Blue Zone"). Since the submission of my report of 26 June 1998 (S/1998/578), the situation in the area

has remained stable. Nonetheless, violations of the demilitarization regime by both parties persisted, including restrictions on the movement of United Nations military observers, deployment of military elements from the Federal Republic of Yugoslavia in the demilitarized zone and the occasional presence in that zone of Croatian Army personnel. UNMOP did not assess these violations to be provocative. The continued presence of Yugoslav (Montenegrin) Border Police and Croatian Special Police in the demilitarized zone does not violate the security regime.

5. The most significant long-standing violation of the demilitarized zone is the continued presence of Yugoslav Army troops in the north-western part of the area. UNMOP remains unable to ascertain the strength and armament of these units, because the Yugoslav authorities restrict the movement of United Nations military observers in the area. The Federal Republic of Yugoslavia, while still denying unrestricted access to that part of the demilitarized zone, does allow escorted visits, along the main road only, when given a minimum of six hours' notice.

6. Croatia also continues to deny unrestricted access by United Nations military observers to its positions in both the northern part of the demilitarized zone and to several positions in the southern part, with local Croatian authorities still asserting that the northern part of the zone is not included in the UNMOP area of responsibility. Efforts by the Chief Military Observer to gain regular and unrestricted access to Croatian positions throughout the Mission's area of responsibility are generally unsuccessful although, occasionally, escorted visits have been authorized. During the reporting period, the only permission granted was on 30 September 1998 for one such escorted visit to the northern part of the demilitarized zone. Previous permission to visit that area had last been granted in October 1997.

7. The long-standing violations of the demilitarization regime in the United Nations-controlled zone also continue. Approximately 30 Croatian Special Police remain present at two positions and at one checkpoint, and approximately eight Yugoslav (Montenegrin) Border Police remain located at one position and at one checkpoint.

8. During the reporting period, the Croatian authorities continued to routinely grant civilians, including Croatian and foreign tourists, unauthorized access to the United Nations-controlled zone. Local Croatian officials have not taken steps to abandon this practice. Furthermore, they have told the Chief Military Observer that Croatia does not recognize any part of the United Nations-controlled zone (including the sea) other than the land area of the Ostra peninsula.

9. The waters of the United Nations-controlled zone continue to be frequently violated by Croatian fishing boats, occasionally by Croatian police boats, and frequently by Yugoslav fishing and tourist boats. Of particular concern in this regard are two incidents that took place inside the United Nations-controlled zone during the reporting period. One involved the arrest by the Croatian authorities of two Yugoslav youths on jet skis on 12 August 1998; they were subsequently released. The other incident involved a Croatian police boat which opened fire on a Yugoslav fishing boat on 10 September 1998. Although serious

in themselves, the incidents are not considered by the Chief Military Observer to have raised tensions in the area to any significant extent on a long-term basis. They do, however, illustrate the need for the parties to intensify their efforts to reach a final solution to their dispute. Efforts are being made by local authorities on both sides to prevent such incidents from recurring.

10. According to established procedure, UNMOP has continued to protest the above-mentioned violations to the appropriate authorities in Croatia, the Federal Republic of Yugoslavia and the Republic of Montenegro, and to encourage both sides to respect the United Nations-designated zones and the freedom of movement of the United Nations military observers in the performance of their duties in their area of responsibility. UNMOP maintains the interpretation of the limits of the United Nations-designated zones as defined in my reports to the Security Council since 1992, regardless of unilateral decisions by one party or the other not to respect the United Nations-mandated security regime.

11. There were no significant changes in the situation of identified minefields within the UNMOP area of responsibility during the reporting period. Both parties recently informed the Chief Military Observer that a demining programme would commence in the near future. These steps are among the practical options that were proposed by UNMOP in May 1996 as part of the procedures to reduce tension and improve safety and security in the area. However, apart from necessary demining conducted by Croatia in connection with the laying of a fibre-optic communications cable between Croatia and Montenegro which will pass through the demilitarized and United Nations-controlled zones, there is no evidence that either party has taken steps to implement a comprehensive demining programme.

III. PROGRESS TOWARDS A NEGOTIATED SETTLEMENT

12. During the reporting period, the Federal Republic of Yugoslavia and the Republic of Croatia continued to indicate their willingness to resolve peacefully the disputed issue of Prevlaka through bilateral negotiations pursuant to the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia, signed at Belgrade on 23 August 1996 (see S/1996/706, annex). The two Governments have now each submitted proposals (see S/1998/533 and S/1998/632) for settling the dispute. Subsequently, the Foreign Ministers of both countries met on 18 August 1998 in Zagreb and agreed that their respective experts would meet to discuss possible solutions. The first such meeting took place on 15 and 16 September 1998 in Zagreb and addressed mainly procedural issues.

13. At the time the present report was being prepared, no information had been received about the second round of talks, which was to begin in Belgrade on 9 October. However, preliminary information would seem to indicate that the parties need to reach agreement on a number of outstanding issues before real progress can be achieved on resolving the disputed issue of Prevlaka.

IV. OBSERVATIONS

14. The opening of bilateral discussions aimed at finding a permanent solution to the disputed issue of Prevlaka is a significant and welcome step forward. In each of its resolutions dealing with this issue, the Security Council has urged the parties to negotiate constructively towards a solution. Therefore, I am pleased to report that such negotiations are at last under way. However, it would be premature to state that the parties are close to a final agreement.

15. As I noted in a previous report (see S/1997/1019, para. 18), the whole set of instruments of the United Nations is at the disposal of the parties should they require this assistance in their search for a peaceful settlement. This includes UNMOP which, by its presence on the ground and its continued liaison work with the parties, has played a key role in creating conditions conducive to the opening of talks between the two sides. I urge both parties to take full advantage of the presence of UNMOP to pursue and conclude their discussions while conditions remain favourable for securing a lasting agreement.

16. The stability of the UNMOP area of responsibility and the opening of negotiations between the parties should contribute to the creation of an atmosphere in which substantive progress can be made. I appeal to the parties to continue to work jointly to that end and towards a final settlement of the dispute. Substantial progress in this regard would allow me to make further recommendations to the Security Council about the next steps to be taken by the United Nations and, in particular, concerning the mandate of UNMOP and its presence in the area. In the meantime, UNMOP will pursue the implementation of its mandate, within the existing practical constraints, to enhance safety and security in its area of responsibility and contribute to confidence-building between the parties.

17. In conclusion, I would like to commend the Chief Military Observer and the men and women of UNMOP whose collective efforts have helped maintain peace and stability in the area and assisted in the creation of the conditions under which bilateral talks could commence.

Annex

Composition and strength of the military elements of the United Nations Mission of Observers in Prevlaka as at 2 October 1998

Nationality	Number of military observers
Argentina	1
Bangladesh	1
Belgium	1
Brazil	1
Canada	1
Czech Republic	1
Denmark	1
Egypt	1
Finland	1
Ghana	2
Indonesia	2
Ireland	1
Jordan	1
Kenya	1
Nepal	1
New Zealand	2
Nigeria	1
Norway	1
Pakistan	1
Poland	1
Portugal	1
Russian Federation	1
Sweden	1
Switzerland	1
Ukraine	1
Total	28

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LETTER DATED 12 OCTOBER 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 9 October 1998, which I have received from the Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would bring the Director General's letter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

Annex

Letter dated 9 October 1998 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

In its presidential statement of 4 November 1994 (S/PRST/1994/64) regarding the Democratic People's Republic of Korea (DPRK), the Security Council, inter alia, requested the International Atomic Energy Agency (IAEA) "to continue to report to it on implementation of the Safeguards Agreement". In this regard, I enclose a copy of my written report about the DPRK dated 26 August 1998 submitted to the General Conference of IAEA at its forty-second regular session (see enclosure I) and of resolution GC(42)/Res/2 adopted by the Conference on 25 September 1998 (see enclosure II).

As you know, the DPRK continues to accept Agency activities solely within the context of the Agreed Framework between the United States of America and the DPRK and not under its Safeguards Agreement with the Agency, which is binding and remains in force.

As envisaged in my predecessor's letter of 13 October 1997, the eighth round of technical discussions between IAEA and the DPRK took place in Vienna from 21 to 24 October 1997. Subsequent rounds were held from 24 to 28 February and 24 to 26 June 1998 in Pyongyang. Unfortunately, however, no progress was made on important issues relevant to the DPRK's compliance with its Safeguards Agreement. These include the preservation of information to enable the Agency to verify, in the future, the correctness and completeness of the DPRK's initial declaration and the sampling and measurement of liquid wastes at the DPRK's reprocessing plant (the Radiochemical Laboratory) to verify that there is no movement or any operation involving the wastes.

Against this background, the Agency's Safeguards Implementation Report for 1997 recorded the continuing inability of the Agency to verify the correctness and completeness of the DPRK's initial declaration of nuclear material and therefore our inability to conclude that there has been no diversion of nuclear material.

In the light of the above information and of further details in my report to the General Conference, the Conference adopted resolution GC(42)/Res/2 in which, similarly to resolution GC(41)/Res/22 of 1997, the Conference expressed its deep concern about the continuing non-compliance of the DPRK with its Safeguards Agreement, urged the DPRK to cooperate fully with the Agency in the implementation of that agreement, and also to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report.

The most recent round of discussions in Vienna this week was also characterized by a lack of tangible progress on key issues. Further discussions have been scheduled for early 1999.

I should be grateful if you would bring the text of the present letter and its enclosures to the attention of the Security Council, to which I will continue to report developments.

(Signed) Mohamed ELBARADEI

Enclosure I

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Report by the Director General to the General Conference

1. In resolution GC(41)/RES/22 of 3 October 1997, the General Conference, inter alia, decided:

> "to ... include in the agenda for its forty-second regular session an item entitled 'Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons.'"

This report has been prepared to provide information to the General Conference in its consideration of this item of its agenda.

SITUATION PREVAILING AT THE TIME OF THE FORTY-FIRST REGULAR SESSION OF THE GENERAL CONFERENCE

2. The Director General's report to the General Conference in 1997, in document GC(41)/17 of 18 August 1997, gave the background to the developments which had taken place during the previous year in the implementation of safeguards in the Democratic People's Republic of Korea (DPRK) pursuant to the DPRK's Safeguards Agreement with the Agency (INFCIRC/403) and described those developments. They included the lack of progress, during a number of technical meetings, on the issue of preservation of information which must remain available to enable the Agency to verify in the future the correctness and completeness of the DPRK's initial declaration under its Safeguards Agreement; the continuous refusal by the DPRK to accept measures at the reprocessing plant, such as the measurement of liquid nuclear waste to verify that there is no movement or any operation involving such waste; the limitations imposed by the DPRK regarding the conditions of the "freeze" and concerning access by inspectors for visiting from time to time technical support buildings at facility sites subject to the freeze, which had not been placed under the freeze measures in November 1994 because the DPRK stated at that time that the DPRK have changed the scope of operations of these buildings; the DPRK's agreement to some verification activities, such as surveillance and containment measures; the DPRK's agreement to designations of additional inspectors; the DPRK's undertakings for improvement in the means of communications between the Agency and the DPRK; the completion to about 90% of the canning operation of the irradiated fuel rods from the 5 MW(e) Experimental Power

Reactor and the maintenance by the Agency of a continuous presence of inspectors in the Nyongbyon area.

3. Report GC(41)/17 recorded that, while the sixth and seventh rounds of technical discussions resulted in some progress in communications and inspector designation issues, the DPRK had continued to refuse to permit a number of important measures, including those noted above, which had been left open since the first technical meeting.

4. In light of this and of the Director General's report in document GC(41)/17, the General Conference adopted resolution GC(41)/RES/33. By that resolution, the General Conference, inter alia, strongly endorsed the actions taken by the Board and commended the efforts taken by the Secretariat to implement the Safeguards Agreement and to monitor the freeze of specific facilities in the DPRK; it also expressed concern over the continuing non-compliance of the DPRK with the IAEA-DPRK Safeguards Agreement, called upon the DPRK to comply fully with that Safeguards Agreement and urged it to co-operate fully with the Agency in the implementation of that Agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report on the inventory of nuclear material subject to safeguards until the DPRK comes into full compliance with its Safeguards Agreement.

DEVELOPMENTS SINCE THE FORTY-FIRST REGULAR SESSION OF THE GENERAL CONFERENCE

5. At the meeting of the Board of Governors on 8 December 1997, the Director General reported on the eighth round of technical discussions between the IAEA and the DPRK which took place in Vienna from 21 to 24 October 1997. The Director General noted that no progress was made during the eighth round on the outstanding issues associated with the DPRK's compliance with its Safeguards Agreement, including the preservation of information which must remain available to enable the Agency to verify in the future the correctness and completeness of the DPRK's initial declaration.

6. At the meeting of the Board of Governors on 16 March 1998, the Director General reported on the ninth round of technical discussions, which took place on 24-28 February 1998 in Pyongyang. No progress was made with regard to such important issues as the preservation of information, or on the sampling and measurement of liquid wastes at the reprocessing plant. In addition, the DPRK refused to agree to the taking of environmental swipe samples at the hot cell of the research reactor which is presently under a routine inspection regime, since the DPRK considers that its Safeguards Agreement is not fully in force. There was no progress on the issue of access by inspectors to technical support buildings at the facilities subject to the freeze. The Director General stated that, following the completion of the canning operation expected to take place in May 1998, the continuous presence of Agency inspectors in Nyongbyon would be reduced from three to two.

7. At the meeting of the Board of Governors on 8 June 1998, the Director General underlined the fact that the Safeguards Implementation Report (SIR) for 1997 reported the continuing inability of the Agency to verify the correctness and completeness of the DPRK's initial report and the Agency's inability to conclude that there has been no diversion of

nuclear material. The Director General informed the Board of the suspension of canning operations of spent fuel rods at the 5 MW(e) experimental power reactor in late April at the DPRK's request. By that time 97% of the irradiated discharged rods were canned and under Agency seal. The completion of canning was also linked by the DPRK with progress in implementing the tasks foreseen in the Agreed Framework.

8. The Director General also reported that the DPRK requested the Agency, in a letter of 3 April 1998, to make the necessary arrangements to enable the operators to build a heavy oil-fuelled boiler at the site of the 5 MW(e) Experimental Power Reactor, a facility which is subject to the freeze. According to the DPRK, the proposed boiler would produce electricity and also steam for district heating. In connection with this, the DPRK intended to use existing equipment, such as turbines and generators, located at different buildings at the reactor site. The Agency, after appropriate consultations, did not object to this construction and operation of the boiler for the purposes stated on the understanding that Agency inspectors can visit the boiler building and other related support buildings so as to confirm that the new scope of operations of these buildings is not relevant to the purpose of the freeze. The DPRK confirmed this understanding on 22 May 1998. The Director General further informed the Board that on 11 May 1998 the DPRK requested the Agency to make the necessary arrangements at the Radiochemical Laboratory (the reprocessing plant), including detachment of some seals, for inspection and maintenance activities by the operator. In response, the Agency noted that all maintenance work should be done under observation by inspectors and that no decontamination activities or the introduction or transfer of solutions in the process system should be carried out since such activities could affect the preservation of information. Maintenance started on 27 May 1998.

9. The tenth round of technical discussions took place on 24-26 June 1998 in Pyongyang. No progress was made on any of the pending issues. Moreover, the DPRK continued to deny inspectors access to technical buildings which are not subject to the freeze measures in the facility sites of the 5 MW(e) Experimental Power Reactor, the Radiochemical Laboratory and the Fuel Fabrication Plant in order to confirm that the new scope of activities of the buildings is not relevant for the purpose of the freeze. The DPRK reported that in view of the continuing corrosion of the remaining non-canned rods, there are only two options available to them: either to reprocess those rods or to can them. The DPRK linked the maintenance activities performed at the Radiochemical Laboratory to the possibility of reprocessing the rods. The DPRK further reported that they are preparing a maintenance plan for the 5 MW(e) Experimental Power Reactor and for the fresh fuel rods. For the purpose of the maintenance of the fresh fuel rods they indicated their plans to transfer 8000 rods (corresponding to one full reactor core loading) from the present location outside the 5 MW(e) experimental power reactor to the fresh fuel storage in the reactor building. The Agency indicated that such a transfer would not be compatible with the purpose of the freeze or of any maintenance requirements. During the technical meeting the DPRK requested the Agency to make the necessary arrangements to enable the operator to perform a hydraulic test of the mixer-settlers at the Radiochemical Laboratory. Procedures for such testing were discussed and remain under Agency review. The Agency has to ascertain that such a test would not result in removal or alteration of the signatures of past activities.

10. As of the date of this report there have been no new developments to alter the assessment provided to the Board in March and June. Progress in discussions has been repeatedly linked by the DPRK with progress in the implementation of the Agreed Framework and the DPRK has recently expressed its disappointment with the progress made up to now. The ground breaking for the construction of two 1000 MW(e) light water nuclear reactors took place at Sinpo on 19 August 1997.

11. Co-operation from the DPRK side remains limited. The DPRK has accepted some verification activities, such as containment and surveillance measures, which the Agency needs in order to carry out the monitoring of the freeze. During 1998, there has been further improvement in the means of communication between the General Department of Atomic Energy of the DPRK and the relevant Division of Operations of the Department of Safeguards of the Agency. The DPRK has accepted the replacement of the present surveillance systems with the new digital surveillance and agreed to the designation of additional inspectors. They have also agreed to the installation, as of October 1998, of an integrated monitoring system on the mixer-settler motors at the reprocessing plant which will provide information about whether such motors have been put into operation and for how long.

12. The DPRK has, however, refused to agree to other measures, such as the installation of Agency monitoring equipment at nuclear waste tanks or any sampling or measurements by the Agency at any location in the reprocessing plant. Moreover, the DPRK continues its refusal to allow measurements for assessing the total amount of plutonium in the spent fuel rods from the 5 MW(e) Experimental Power Reactor.

13. In January 1997, the DPRK clarified that the nuclear graphite which was manufactured for the use at the 50 MW(e) power reactor under construction at the time of the freeze is subject to monitoring by the Agency. About half of the required graphite blocks were presented to the Agency and it was stated that manufacturing of such blocks and other nuclear related equipment and components had been stopped since July 1993. This statement still awaits formal confirmation by the DPRK. In January 1998, the DPRK presented some additional graphite blocks for the purpose of monitoring. However, the DPRK has not agreed to any sampling of the graphite blocks, which could confirm whether the presented graphite inventory is of nuclear grade.

14. Regrettably, the fundamental difference of view between the Agency and the DPRK regarding the current status of the Safeguards Agreement remains unchanged. The Agency regards the Safeguards Agreement with the DPRK as binding and in force. The DPRK accepts Agency activities solely within the context of the Agreed Framework. Therefore, they accept ad hoc and routine inspections only at the facilities not subject to freeze, but at the same time they decline any implementation of the safeguards strengthening measures at these facilities.

15. The Director General has provided the Minister of Foreign Affairs of the DPRK with the Model Additional Protocol (INFCIRC/540). A copy of the Model Additional Protocol, together with information regarding the Secretariat's discussion with various States, was also provided to the DPRK during the technical meetings.

16. The Agency maintains the continuous presence of inspectors in Nyongbyon. Three inspectors are to be kept in the field to cover the requirements of observing the maintenance activities and implementing the inspection activities, including the monitoring of the freeze.

Enclosure II

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Resolution GC(42)/Res/2 adopted on 25 September 1998
during the 9th plenary meeting

The General Conference,

(a) Recalling the Board of Governors' resolutions GOV/2436 of 25 February 1993, GOV/2639 of 18 March 1993, GOV/2645 of 1 April 1993, GOV/2692 of 23 September 1993, GOV/2711 of 21 March 1994 and GOV/2742 of 10 June 1994 and General Conference resolutions GC(XXXVII)/RES/624 of 1 October 1993, GC(XXXVIII)/RES/16 of 23 September 1994, GC(39)/RES/3 of 22 September 1995, GC(40)/RES/4 of 20 September 1996 and GC(41)/RES/22 of 3 October 1997,

(b) Noting with concern a series of new developments described in the Director General's report contained in document GC(42)/16,

(c) Recalling further resolution 825 (1993) adopted by the Security Council of the United Nations on 11 May 1993 and the 31 March 1994, 30 May 1994 and 4 November 1994 statements by the President of the United Nations Security Council, particularly the request to take all steps the Agency may deem necessary to verify full compliance by the Democratic People's Republic of Korea (DPRK) with its safeguards agreement with the Agency,

(d) Noting that the DPRK has decided to remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons and reaffirming that the IAEA-DPRK safeguards agreement (INFCIRC/403) under the Treaty remains binding and in force,

(e) Noting also the stated intention of the DPRK to come into full compliance with the safeguards agreement and the continuing IAEA-DPRK discussions on outstanding safeguards issues,

(f) Noting with regret that in these discussions no progress has been made on important issues such as the preservation of information, and

(g) Regretting the withdrawal of the DPRK from the Agency and expressing the hope that the DPRK will rejoin,

1. Strongly endorses actions taken by the Board of Governors and commends the Director General and the Secretariat for their impartial efforts to implement the IAEA-DPRK safeguards agreement;

2. Recognizes the important role of the IAEA in monitoring the freeze of nuclear facilities in the DPRK and commends the Secretariat for its continuous efforts to monitor the freeze of specified facilities in the DPRK as requested by the United Nations Security Council;

3. Expresses deep concern over the continuing non-compliance of the DPRK with the IAEA-DPRK safeguards agreement and calls upon the DPRK to comply fully with that safeguards agreement;

4. Urges the DPRK to co-operate fully with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report on the inventory of nuclear material subject to safeguards until the DPRK comes into full compliance with its safeguards agreement; and

5. Decides to remain seized of this matter and include in the agenda for its forty-third regular session an item entitled "Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons".

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/941
12 October 1998

ORIGINAL: ENGLISH

LETTER DATED 9 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF BRAZIL TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of a press statement issued by the Ministry of External Relations of Brazil on 5 October 1998 on the issue of Kosovo, Federal Republic of Yugoslavia (see annex).

I would be grateful if you could have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Celso Luis NUNES AMORIM
Ambassador
Permanent Representative of Brazil
to the United Nations

Annex

Press statement issued by the Ministry of External Relations of Brazil on 5 October 1998

The Brazilian Government condemns the abuses committed by Serbian forces against the civilian population in Kosovo. Such violence is an assault on human dignity which shocks the conscience of Brazilian society, which takes pride in its multiracial character as a defining trait of its national identity.

The Brazilian Government supports all initiatives capable of re-establishing peace and understanding in the region, calls for full access to be granted to the humanitarian agencies and urges the parties to implement Security Council resolutions 1160 (1998) and 1199 (1998) unconditionally.

The international community must seek solutions for putting an end to the violence in Kosovo that fully preserve the authority of the Security Council in strict compliance with the Charter of the United Nations, on the basis of respect for the territorial integrity of the Federal Republic of Yugoslavia.

UNITED NATIONS **S**

Security Council

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12 October 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 12 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF QATAR TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As Chairman of the Islamic Group to the United Nations, I have the honour to inform you that the Ministers for Foreign Affairs of the States members of the Organization of the Islamic Conference held their annual coordination meeting on Thursday, 1 October 1998, at United Nations Headquarters in New York.

The meeting reaffirmed the statement of the Islamic Group in New York addressed to the Security Council concerning endorsement of the Sudan's request for a meeting to be convened to discuss the subject of the United States aggression against the Sudan that led to the destruction of the Shifa pharmaceutical factory and the death of numerous individuals. It also condemned that aggression as an action contrary to the purposes of the Charter of the United Nations and to international norms.

The meeting further requested the Security Council to send a fact-finding mission to the Sudan in order to investigate the United States allegations concerning the production of the factory.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nassir Abdul-Aziz AL-NASSER
Ambassador
Permanent Representative of Qatar
Chairman of the Islamic Group

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UNITED NATIONS **S**

Security Council

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13 October 1998

ORIGINAL: ENGLISH

LETTER DATED 13 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing this letter to you in order to present the views of the Democratic People's Republic of Korea on the report of the "United Nations Command" circulated as a document of the Security Council (S/1998/844, annex).

The "United Nations Command" has not been established by a Security Council resolution. It is nothing more than a product of fabrication by the United States of America, which has been arbitrarily abusing the name of the United Nations to cover up the aggressive nature of the United States forces and the illegitimacy of their being stationed in south Korea.

Security Council resolution 84 (1950) of 7 July 1950, which has been claimed by the United States to be the basis for the establishment of the "United Nations Command", was adopted in the absence of the then Soviet Union, a permanent member, from the Security Council meeting. Therefore, its adoption constituted a clear violation of Article 27, paragraph 3, of the Charter of the United Nations, which at that time provided that the decisions of the Security Council on all matters except procedural ones required an affirmative vote of seven members, including the concurring votes of the permanent members.

This illegally adopted resolution only recommended that all Members providing military forces and other assistance "make such forces and other assistance available to a unified command under the United States". It never recommended the establishment of a "United Nations Command".

If the "United Nations Command" is a real entity, it means that the United Nations Organization has its own standby forces in south Korea, and if this is the case, the Command should be placed under the control of the United Nations, not that of the United States. However, at present, the United Nations has no control over the "United Nations Command" politically, militarily or financially.

Today, the United States forces stationed in south Korea change their helmets, marked "United States Forces Command", "Republic of Korea-United States Combined Forces" and "United Nations Command", in different circumstances.

By camouflaging the United States forces in south Korea as the "United Nations Command", the United States has made the Democratic People's Republic of Korea and the United Nations Member States to appear as if they had belligerent relations and is abusing the name of the United Nations in pursuance of its political and military strategy towards Korea.

In this regard, we have doubts about the legitimacy of the "United States Forces Command" in south Korea presenting a report to the Security Council under the name "United Nations Command".

We hold that all the Member States of the United Nations, and in particular, the Security Council, should disclose the true colours of the "United Nations Command" and take measures to correct the situation to save the United Nations from being abused by the United States, thus enabling it to make a real contribution to the maintenance of international peace and security.

In the report of the "United Nations Command", the United States completely distorted and fabricated the historical facts concerning the destroyed Korean armistice system.

The United States is a ringleader who destroyed the Korean armistice system.

No sooner had the United States signed the Armistice Agreement in July 1953 than it began resorting to building up arms for its re-aggression of our country.

Subparagraph 13 (d) of the Armistice Agreement stipulates the cessation of the introduction into Korea of reinforcing combat material from outside.

Nevertheless, the United States introduced a huge quantity of reinforcing combat material and weapons into south Korea, even by employing the vicious method of branding them "supplies for PX" in order to deceive the Neutral Nations Inspection Teams (NNITs), whose mandate was to supervise the introduction of combat material.

Among the combat material introduced by the United States into south Korea during the period from the conclusion of the Armistice Agreement until 15 April 1954, those detected by NNITs were 177 combat aircraft, 465 guns of various calibres, 6,400 rockets of various calibres, 145 mortars of various calibres and 1,365 machine-guns of various calibres.

When its illegal arms build-up was revealed, the United States declared at the 70th meeting of the Military Armistice Commission (MAC), on 31 May 1956, that it would have all NNITs withdrawn from the ports of entry in the south and forced the withdrawal of all NNITs on 9 June 1956.

Far from being satisfied with this, the United States declared at the 75th meeting of the MAC, on 21 June 1957, that it would unilaterally abrogate subparagraph 13 (d) of the Armistice Agreement.

Paragraph 13 of the Armistice Agreement was a key provision, essential for preventing the recurrence of war on the Korean peninsula.

With the abrogation of subparagraph 13 (d) of the Armistice Agreement, a legal basis for averting the recurrence of war was removed from the Agreement in actuality. Since then, the Neutral Nations Supervisory Commission supervising the implementation of subparagraph 13 (d) of the Agreement was left with no function at all.

The United States, systematically wrecking the functions and role of the armistice supervisory mechanism, designated a general officer of the south Korean army as the "senior member" of the Military Armistice Commission from the "United Nations Command" side on 25 March 1992. This kind of act on the part of the United States brought about the complete paralysis of the Military Armistice Commission.

In this respect, the United States alleged in the report that the south Korean puppet army could represent the "United Nations Command", arguing that the Commander-in-Chief had signed the Armistice Agreement as Commander of all "United Nations Command" forces, including 16 United Nations Member States and south Korea, and south Korea provided assurances that it would abide by the terms of the Agreement.

This allegation by the United States is groundless. The recommendation contained in paragraph 3 of Security Council resolution 84 (1950) is confined only to the Members of the United Nations. Accordingly, south Korea, not being a Member at that time, did not become part of the so-called "United Nations Command" forces and strongly opposed the conclusion of the Armistice Agreement. This clearly proves that south Korea is not a signatory to the Agreement. Moreover, it is nonsensical and illogical, even in terms of common sense, for the United States to say that the south Korean puppet army, which has no military prerogative of operational command over itself, can represent the "United Nations Command" forces.

As for the above-mentioned assurances, the United States seems to refer to the information it provided to the Democratic People's Republic of Korea during the negotiations for the conclusion of the Armistice Agreement that south Korea confirmed its expressed intention not to block the implementation of the Armistice Agreement.

It is too self-evident that such a procedural format cannot be a legal action making south Korea a signatory to the Armistice Agreement.

Even under international law, any assurances by the countries concerned relating to a certain agreement, be it bilateral or multilateral, cannot justify their being parties to that agreement.

Accordingly, the appointment by the United States of a general officer of the puppet army of south Korea, which is not a signatory to the Armistice Agreement and has no military prerogative, as a senior member of the Military Armistice Commission from the "United Nations Command" side, is an illegal and

deliberate act in every aspect, aimed at disintegrating the military armistice mechanism.

Out of a desire to maintain even only the Military Armistice Commission, we repeatedly requested the United States to re-designate a senior member.

However, the United States persistently stood against it, thus having the Military Armistice Commission terminate its existence.

Therefore, we recalled all members of the Military Armistice Commission from our side. Afterwards, the Chinese side also recalled its delegation of army volunteers in the same year.

When the Military Armistice Commission terminated its existence, the delegation of Poland to the Neutral Nations Supervisory Commission, which had already been left with nothing to do since the abrogation of subparagraph 13 (d) of the Armistice Agreement on the part of the United States, had no choice but to withdraw.

Today, because of the completely paralysed armistice system on the Korean peninsula, a security vacuum still remains, failing to prevent even a minor accident or armed conflict.

Under these circumstances, we advanced an epoch-making proposal in February 1996 to conclude an interim agreement between the Democratic People's Republic of Korea and the United States and to establish a joint military mechanism for implementing the above agreement as a provisional measure to preserve even only the present armistice status safely until a peace agreement is adopted.

But the United States has not yet responded to our proposal.

The United States forces stationed in south Korea constitute a root cause of the aggravating and tense situation on the Korean peninsula.

The United States side has been engrossed in increasingly grave provocations, posing serious threats to the Democratic People's Republic of Korea by reinforcing heavy weapons and automatic rifles along the demilitarized zone. Last year, the United States conducted nearly 2,000 air espionage acts against the Democratic People's Republic of Korea by flying all strategic and tactical reconnaissance planes such as U-2s, RC-135s and RC-12s over the airspace of the military demarcation line.

Last year, the United States reorganized its forces in south Korea into a field army system for a wartime situation and reinforced its 500-strong force. This year, it made public that it would deliver to the south Korean puppets 500 TOW-2A air-to-surface missiles and 280 short-range multi-purpose rocket launchers. Worse still, every year the United States is conducting joint military exercises, including the "Ulji Focus Lens" and "Fowl Eagle", thus bringing the situation to the brink of war.

For the Fowl Eagle joint military exercises conducted last year, the United States mobilized all the United States troops in south Korea and the south Korean puppet forces together with 1,400 warplanes of all kinds and 300 warships, such as the extra-large aircraft carrier Independence, and other cruisers and destroyers.

In such a grave situation, it is attributable to a strong will for peace and maximum patience on our part that another war has not broken out so far on the Korean peninsula.

The United States, while intentionally aggravating the situation on the Korean peninsula and opposing the conclusion of a peace agreement, is desperately attempting to maintain the paralysed armistice system only to justify itself in its bid to continuously keep United States forces in south Korea.

This is absolutely intolerable because it is an act of the United States to achieve its political and military objective even at the cost of another country.

The only way to put an end to the armistice state and to achieve durable peace on the Korean peninsula is to withdraw the United States forces and to conclude a peace agreement between the Democratic People's Republic of Korea and the United States.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) LI Hyong Chol
Ambassador
Permanent Representative